

Notice of Allowability

Application No.

10/713,067

Examiner

Raquel Y. Gordon

Applicant(s)

SILVERBROOK, KIA

Art Unit

2853



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Remarks filed 8/5/2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 17 November 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/129503.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

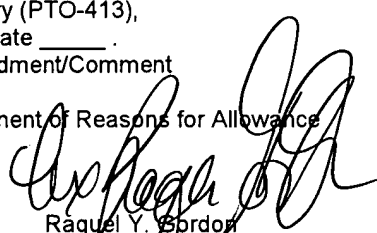
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Raquel Y. Gordon
Primary Examiner
Art Unit: 2853

Reasons for allowance

The following is a statement of reasons for allowance:

Upon further consideration, the inclusion of the claimed apparatus and/or method for a printhead assembly, as claimed in the combination, is not found in the prior art. This difference is considered patentable over the prior art and reflects an improvement in the field of endeavor since the following apparatus and method claim limitation *examples* reflect an improvement in the field of invention.

For example, the Applicant argues the claims of the present application are limited to a printhead assembly having , *inter alia*, an elongated core, and a printhead bonded to the core. The Applicant further argues, in contrast, USSN 10/713,088 is directed to a core that is defined as being capable of having a printhead bonded to it, whereas the printhead is not a claimed feature. The Applicant concludes stating an elongate core for a printhead assembly without a printhead bonded to it would not directly infringe the claims of the present invention, for obvious reasons.

The Examiner has re-inspected the claims of USSN 10/713088. The claims, as recited in USSN 10713088, state:

"A core for a printhead assembly, the core comprising an extruded and elongated body having a plurality of interior reservoirs, the reservoirs each

having an ink exit opening, the openings converging into an area adapted to receive a printhead via bonding."

Applicant's arguments are persuasive since, upon further inspection, the printhead, in fact, does not appear to be a claimed feature in the claim limitations of USSN 10/713088. Instead, it appears as though the claims are limited to the preparation of the apparatus to receive a printhead while the printhead does not appear to be a claimed feature.

Hence, since independent claim 1 is allowed. Further, the dependant claims are allowed since they depend from an allowed base claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Raquel Y. Gordon, whose telephone number is (571) 272-2145. The Examiner can normally be reached on M Tu Th and F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. A fax number is available upon request.

Art Unit: 2853

Any inquiry of a general nature or relating to the status of this application or proceeding may be directed to the Examiner or Supervisor.

A handwritten signature in black ink, appearing to read 'Raquel Y. Gordon', is written over the printed name.

Raquel Y. Gordon
Primary Examiner
Art Unit 2853
September 18, 2004